

17—6.15 (231) Waivers of priority service expenditures.

6.15(1) An AAA shall request a waiver from the priority service expenditures in 17—subrule 5.3(3) if it does not propose sufficient funding to allow older individuals to have convenient access to a service. The waiver request shall be submitted with the plan or plan amendment pursuant to applicable procedures under 17 IAC 11.

6.15(2) The commission, in approving an area plan or a plan amendment, may, upon recommendation of the director, waive the requirement of rule 17—6.14(231) for any category of service for which the AAA demonstrates the following:

- a.* That the services being furnished by other providers meet the needs of older individuals in the PSA for that category of service; or
- b.* That the AAA has made every reasonable effort to meet the need for a specific category of service.

[ARC 8489B, IAB 1/27/10, effective 1/7/10]